




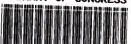


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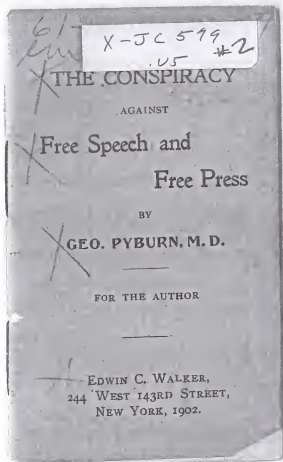
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A Blow at
✿ Trial by Jury

AN EXAMINATION OF THE SPECIAL
JURY LAW PASSED BY THE
NEW YORK LEGISLATURE
IN 1896

BY
BENJ. R. TUCKER

New York
BENJ. R. TUCKER, Publisher
1898



61
X-JC 579
U5 #2

THE CONSPIRACY

AGAINST

Free Speech and
Free Press

BY

GEO. PYBURN, M. D.

FOR THE AUTHOR

EDWIN C. WALKER,
244 WEST 143RD STREET,
NEW YORK, 1902.

61-7559

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US

FREE SPEECH, WITH
AND WITHOUT *By*
LINCOLN STEFFENS



PRINTED FOR *THE FREESPEECH*
LEAGUE AT HILLACRE RIVER-
SIDE CONNECTICUT MCMXIV

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COPY 105

*Personal Liberty

Address by
Percy *Andreae



*
At the Banquet of
The American Association of Foreign
Language Newspapers
At New York City, February 7, 1914



"Let the facts speak for themselves" #5

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BEING A TRUE RECORD
OF THE CASE OF
FREDERICK KRAFFT

Who, exercising in an orderly manner the right of Free Speech, and Free Assembly inherent in American Constitutions and traditions, was arrested on one charge, held on another, and then, despite an overwhelming mass of testimony as to his innocence of having using the language charged (much of this evidence from persons opposed to his political views) found guilty and sentenced to five years hard labor at Atlanta. The official court records are here submitted as the best evidence of the injustice of the verdict, and reasons why the reader thereof should join in earnest effort for the reversal of this verdict, or failing in that, for pardon. Help to free an innocent man, save an invalid wife from worry, or perhaps death, and beyond all else, make Democracy in America a fact.

Published by direction of the State Executive Committee
S. P., 124 Market St., Newark, N. J., to whom all correspondence, contributions, etc., should be addressed.

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105

WHO ARE THE TRAITORS?

"I want to utter my earnest protest against any manifestation of the spirit of lawlessness anywhere or in any cause . . . A man who takes the law into his hands is not the right man to co-operate in any form or development of law and institutions."

Woodrow Wilson, Nov. 12, 1917.



BIRDS OF A FEATHER

A sample from one of our "patriotic" journals. What "Life" thinks of law and order.—(Nov. 15, 1917)

"If the people all understood why it is that we are going into this war, they would rise and crush these traitors down to earth.

"There are men walking about the streets of this city tonight, who ought to be taken out at sunrise and shot for treason. . . ."

Elihu Root, Aug. 15, 1917.

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70 Fifth Avenue, New York City.

Washington Office, Munsey Bldg.

Published January, 1918.



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WAR-TIME PROSECUTIONS AND MOB VIOLENCE

*Involving the rights of free speech,
free press and peaceful assemblage.*

[From April 1, 1917 to March 1, 1919]

1 - FEB 8 1919

7-1254

This list of cases is compiled from the correspondence and press clippings of the National Civil Liberties Bureau. It is by no means a complete record. The Bureau would appreciate information about other cases.

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~~File~~
647
#9
~~X~~ Freedom of Speech

. and .

Freedom of Thought



~~X~~
Committee on Peace and Emergency Service,
Philadelphia Yearly Meeting of Friends,
Fifteenth and Race Streets

Copies obtainable at
Central Bureau and Room 15, 1305 Arch Street.

1920

61-7559-2-2342
Vital Questions Ledger

U.S. DEPARTMENT OF CONGRESS
3

Number Three

SEP 7 1978

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U.S.

HAVE YOU FREE SPEECH?

By Roger N. Baldwin

#10

Free speech is the right to say without interference things that are new and unpopular. If you can only say the things with which everyone agrees, you haven't free speech. If men who voice new ideals are sent to jail merely for utterances, plainly speech is not free. That is the condition we have in the United States today, despite our traditions and Constitutional guarantees.

There are for instance still (May, 1923) in federal prisons 53 men convicted solely for their opinions during the war. There are over 50 in state prisons under criminal syndicalist acts, directed primarily at mere membership in the Industrial Workers of the World. This theory of guilt by mere membership has gone so far in California,—where alone of all the states such prosecutions continue actively,—that Miss Charlotte Anita Whitney of Oakland, well-known clubwoman and social worker, faces a long prison term merely because she joined the Socialist Party. Her local branch of the Party became a local of the Communist Labor Party in 1919 and her membership automatically was transferred to it. Membership in that Party was held to be a criminal offence under the syndicalist law, and Miss Whitney with others was sentenced. Her case is on appeal to the United States Supreme Court.

Why Is It Important to Have Free Speech?

The importance of freedom of opinion is that it is the only sure means of guaranteeing orderly progress. Repression of new ideas and forces over a long period of time inevitably results in disorder, violence and bloodshed. History is eloquent on the subject. In the indus-

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DO YOU CONSENT?

*An Appeal for the Abolition
of Capital Punishment*

BY
E. ROY CALVERT

NATIONAL COUNCIL FOR THE
ABOLITION OF THE DEATH PENALTY

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STRAND, LONDON, W.C.2

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~~RESOLVED,~~
THAT CAPITAL PUNISHMENT BE ABOLISHED.

OPENING ARGUMENT

OF

MR. SAMUEL ~~UNTERMYER~~

DEBATE BEFORE THE ROEBLING UNIT, STEUBEN SOCIETY,
UNIVERSITY CLUB, BROOKLYN,
JANUARY 14, 1923.

For the Affirmative: MR. UNTERMYER.

For the Negative: SENATOR LOVE.

239

Distributed

~~THE~~ LEAGUE TO ABOLISH CAPITAL PUNISHMENT
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NEW YORK

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***Defending Freedom #13
in Chicago**

**What the Chicago Civil Liberties
Committee Has Accomplished in
the Past Two Years - 1930-1932**

*"Failure to defend the civil rights of the least
among us imperils the liberties of all."*

***Chicago Civil Liberties Committee**
Room 1915, 33 NORTH LA SALLE STREET
Chicago, Illinois

MAY 1932

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#14

pamphlet
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What is the Fight for Civil Liberty?

Questions and answers in a radio program
on the Public Service Forum, New York

CORLISS LAMONT
representing the American Civil Liberties Union

CHARLES H. INGERSOLL, *presiding*

Mr. Lamont is a former instructor in philosophy
at Columbia University, author, lecturer, and
member of the Union's Board of Directors.

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New York City

October, 1936

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OKLAHOMA STORY—1940

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by **REV. OWEN A. KNOX**
with a note by
CAREY McWILLIAMS

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THE CRISIS

of

DEMOCRACY

or

The Struggle to Preserve Civil
Rights and Secure Social
and Economic Justice

by

DANIEL HOWARD



Issued by the Civil Rights Committee
of the

Connecticut Conference on Social and Labor Legislation
July—1940

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By VIRGINIUS DABNEY

Reprinted from

THE VIRGINIA QUARTERLY REVIEW

Winter 1940

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~~X~~ The ~~X~~ Present ~~X~~ Crisis

Publ. by ~~X~~ National Federation for Constitutional Liberties

by

E d w i n S. ~~X~~ S m i t h

Member, National Labor Relations Board

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~~X~~ BLITZKRIEG

AGAINST ~~X~~ FEDERAL WORKERS

~~X~~ FACTS ABOUT THE TIPPING CASE...

~~X~~ Issued by the
Washington Youth Council
907 Fifteenth Street, N.W.
Washington, D. C.

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HOW
Your
GI JOE
Can
VOTE

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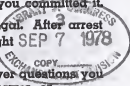
**Read this Guide
To Voting Rules**



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***KNOW YOUR RIGHTS**

1. A policeman has no right to require you to answer any question before arrest, as to whether or not you have committed a crime.
2. A policeman may not legally arrest you:
 - a. Unless he has a warrant naming you, which he must exhibit.
 - b. Unless you have committed a crime in his presence, or
 - c. Unless a crime, a felony, has in fact been committed by someone, and the policeman has reasonable grounds to believe you committed it.
3. The third degree is illegal. After arrest a policeman has no right
 - a. To make you talk.
 - b. To force you to answer questions you do not choose to answer, or
 - c. To prevent your lawyer from talking to you, or
 - d. To keep you in jail on suspicion only, or
 - e. To detain you merely to allow himself time to make an investigation, or
 - f. To imprison you for a longer time than is necessary to write out a complaint against you or to take you before a judge.
 - g. If you refuse to give the police a statement, the law will not permit the police to show that you refused



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LET FREEDOM RING AT HOME

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Safeguard
the **BILL**
OF RIGHTS

We Pledge to Support the
DEMOCRATIC RIGHTS
Guaranteed
by the **CONSTITUTION**

“The purposes of this organization shall be to assert, defend and extend the democratic process, to maintain constitutional procedure and civil rights, to promote the general economic and social welfare, and to defend the constitutional rights of all individuals and groups to organize to these ends. This is a non-profit organization and shall not engage in any partisan political electioneering.”—BY LAWS, ARTICLE II.

Washington Committee for Democratic Action

PUBLICATION FILE

Washington Committee for Democratic Action

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PARALLEL



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Amnesty for Political
~~X~~ Prisoners



~~X~~
*League for the Amnesty of Political Prisoners
New York*



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- A THREAT TO YOU?

"... many sins have been and may be committed in the name of loyalty. . . . I am frankly concerned about those who would smear every opposition sentiment with the label of communism—men who would penalize the thinking of unorthodox thoughts, or the writing of non-conformist words. Those who pose as the saviors of our Nation by seeking to abridge beyond reason our tradition of democratic freedom are as dangerous to American liberties as the Communists themselves."

—J. HOWARD McGRATH, U. S. Attorney General

61-7559-2-2374

SS

+26

~~FREE~~
**OUR POLITICAL
PRISONERS**

YOU do not realize
that they honor
their country, who for
the sake of justice have
suffered prison, exile,
and outrage.

—Anatole France.



**LEAGUE FOR THE AMNESTY
OF POLITICAL PRISONERS**
857 BROADWAY, COR. E. 17th STREET, NEW YORK

Before the 1950s, the great majority of the country's population was concentrated in the coastal zone, and in the northern half of the country.

Here, a whole different set of the concepts is given to a reader. The author shows another aspect of the problem as checked at the end of the book.

[illegible]

This Section one of the Municipal Code for holding the sale of periodicals other than newspapers be repealed.

2. That the police be authorized to arrest individuals who make a disturbance in the streets, whether he be selling flowers, newspapers or anything else.

3. Titled the memorandum by opening it to all personnel without discrimination and that the city be compensated for the use of the adware for stationary networks.

Yields vary from 10 to 20%.

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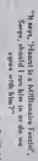
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160 North La Salle Street

- ☐ Tell me how I can help fight against the police attack on "Common Sense" and other liberal and radical periodicals.
- ☐ Tell me how I can become a member of the Chicago Civil Liberties Committee and keep in touch with the fight for civil liberties on all fronts.

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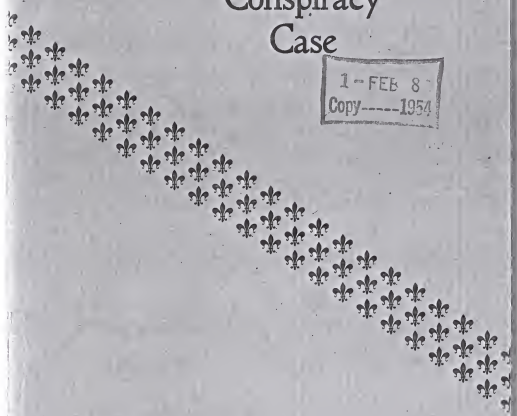
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Argument of
Clarence S. Darrow
In the Wood-Workers
Conspiracy
Case

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THE IMPRISONMENT OF JOHN TURNER

FREE SPEECH AND THE NEW ALIEN LAW

he addressed was peaceful and violated no law of the State of New York; he is not accused of advocating assassination (nor of advocating violence except upon the flimsy ground of approving of labor unions and strikes); he has been peaceful and is now general organizer of the Ship Assistants (Reefed Clerks) Union of Great Britain, and a few months ago he attended a labor conference at Burslem as a delegate from his union; he toured this country in 1899, speaking in the principal cities without molestation, and in twenty years of public speaking and labor organizing work in England, he has never even been arrested.

It has been reserved for free America to treat as a condemned criminal a man who in a European country has never concealed his opinions and has never been molested for expressing them.

Unless protest is made against this new Alien law, it is extremely likely to be followed by a Sedition act for the benefit of such native citizens as may be in disagreement with the administration. Tyranny always begins with the most unpopular man or class and extend by degrees; it should be resisted at the beginning. To defend Turner is not at all to defend what he may do in the future or what he believes now, but to stand for the right of every one to free expressions of ideas concerning a proper organization of society.

The real question at issue is: Shall the Federal Government be a judge of beliefs and disbeliefs? Because of the gravity of this question the free Speech League has taken charge of Turner's case in order that the free Speech League of the law may be properly tested. Funds are the constitutionally of the law may be properly tested. Funds are needed for this purpose, and in order that Turner shall not want for food nor his family suffer during his incarceration. If he is willing to submit to several months' imprisonment in order that Americans may test the law, he should not be put to any suffering that can be avoided. Nor should the case be allowed to drop from public notice.

Subscriptions for the Turner fund should be sent to Dr. E. R. Poole, Jr., Treasurer, 120 Lexington Ave., New York.

FREE SPEECH LEAGUE, 175 BROADWAY, N. Y.

December 1st, 1905.
E. W. CHAMBERLAIN, Pres.,
111 W. 42nd St., N. Y.

Committee:
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GEO. J. MCGOWAN,
BRO. E. TUCKER,
JOS. DANFORTH,
MRS. J. A. MARSON,
JAMES GREENSMITH,
CHARLES GREENGLASS,
WILLIAM BRADY

The attention of all persons who believe in free speech and freedom of belief is asked to the principles involved in the case of John Turner. The facts, and the laws under which he was arrested and is still confined pending appeal, together with the constitutional questions involved, are as follows:

John Turner, an English labor organizer and social reformer, while addressing a meeting in New York City October 29th, was arrested by Federal officers upon a warrant issued by Secretary of Commerce Cortelyou, and taken immediately to Ellis Island. The next morning he was taken before a Board of Inquiry and tried without counsel or witnesses in a secret session. The board reported that Turner was a "sanctuary" and had been here less than three years, and Secretary Cortelyou ordered that he be deported to England.

The New York Evening Post of October 24th editorially condemned Turner's arrest saying, "The first attempt to enforce the anti-anarchistic act, passed after the assassination of President McKinley, is not only ridiculous, but alarming to all who hold to American ideals of personal liberty . . . Turner has made no incendiary utterances in this country; he has not, in the words of the law, advocated the overthrow by force or violence of all or any organized government. When he preaches the gospel of anarchy among us it would be time to deport him. To prosecute him because he may have written or talked elsewhere against constituted authority may be legal; it certainly is repugnant to American ideals."

But it is a mistake to assume that the law applies only to persons advocating violence or assassination—though this impression was given out when the law was enacted.

A writ of habeas corpus was obtained and the case argued before the U. S. Circuit Court of Appeals. When it was found

X-JC 5991

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DEPORTATION

#31

Its Meaning and Menace

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Last Message to the People of America

By

ALEXANDER BERKMAN

and

EMMA GOLDMAN

Ellis Island, New York, U. S. A., December, 1919

X-JC599

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CO. 1-175

^{ights}
The Supreme Court vs. Civil Liberty

Dissenting opinions of Justices Brandeis
and Holmes in cases affecting civil liberty.

Compiled by Albert De Silver and published by the
AMERICAN CIVIL LIBERTIES UNION
138 West 13th Street, New York City, April, 1921

DURING the past two years the Supreme Court of the United States has had before it a number of grave questions involving civil liberty. The cases dealt with freedom of speech, freedom of the press, freedom from unlawful searches and seizures, and the right of labor to organize, strike and boycott.

In respect to freedom from unlawful searches and seizures, the Supreme Court, in a number of decisions culminating with the recent case of *Gouled v. United States* (Feb. 28, 1921), has so clarified and extended previous decisions that a liberal interpretation of the constitutional provision is now assured.

However, in respect to all the other phases of civil liberty mentioned above, the Supreme Court has gone over to the side of reaction. By judicial construction it has forged a powerful weapon for those who believe in governmental suppression of ideas deemed to be dangerous. This departure from what most accept as the traditional American political philosophy has not been accomplished without the vigorous and able dissent of Mr. Justice Holmes and Mr. Justice Brandeis and occasionally Mr. Justice Clarke. The extent of the Courts' departure from the principle of civil liberty is made clear by the following excerpts from these dissenting opinions.

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The Supreme Court vs. Civil Liberty

Dissenting opinions of Justices Brandeis
and Holmes in cases affecting civil liberty.

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— By —

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Freedom of Speech and of the Press

Striking passages from
distinguished champions
of freedom of expression

Selected by

John Haynes Holmes

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American Civil Liberties Union

Our fight is to help secure
unrestricted liberty of speech,
press and assemblage, as the only
sure guarantee of orderly progress.

*"It is time enough for the rightful purpose
of civil government for its officers to in-
terfere when principles break out into
overt acts against peace and good order."*

Thos. Jefferson.

138 WEST 13th STREET

NEW YORK CITY

April, 1922

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#38

THE TRIUMPH OF VIRTUE

IN
THE CITY OF
THE ANGELS

By
EDWARD ADAMS CANTRELL



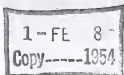
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THE STATE DEPARTMENT'S BAN ON SAKLATVALA

*The Facts
In a Case of International
Significance*



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November, 1925



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AMERICAN CIVIL LIBERTIES UNION
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September, 1926

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Civil Liberty Issues in Congress

*The Story of What Was Done in the Last Session,
—and What's Ahead in the Next One in December.*

FEW of those interested in free speech realize the increased variety and growing number of such issues before Congress. When Congress adjourned in July we concluded the most extensive and active work we ever conducted on national legislation. The next session in December promises to equal it. All bills hold over to the December session at exactly the stage they were in when Congress adjourned in July.

The issues were made for us by the forces of repression and censorship and of hostility to aliens. Either we or our friends caused to be introduced ten bills to lift existing repression and compulsion, and to correct discrimination. The other nine on our program were bills we opposed.

Of the nineteen measures we either favored or opposed, the largest group—five—dealt with the exclusion or deportation of aliens or discriminations arising from our immigration policy. The other measures dealt with (1) civil rights in industrial conflict—three bills; (2) unrestricted freedom of speech and press—three bills; (3) the administration of colonies—two bills; (4) compulsory military training and service—two bills, and (5) censorship of moving pictures and radio—two bills.

All of these obviously involve issues of civil liberty. Few of them would have had that aspect stressed at all unless our Washington office was on the job. That office put in an immense amount of work through Miss Isabelle Kendig and her associate, Miss Pauline Clarke. It required daily effort in arranging hearings, seeing delegations and witnesses, interviewing Congressmen and Senators, getting out publicity and arousing the forces for or against each bill.

Not a single bill was passed,—neither those we favored nor those we opposed. Two bills were well advanced on their way to passage,—one for the relief of the Virgin Islanders from Navy rule, the other the radio control bill with clauses for "freedom of the air."

Of the bills we opposed the only one which was advanced toward passage is that extending the grounds of deportation. All the rest of them are unlikely to get beyond a committee report.

Our greatest efforts during the last session were directed to these measures:

- (1) Opposing registration of aliens, extension of the deportation law, and discriminations against Americans married to aliens.
- (2) Civil government and citizenship for the Virgin Islanders.
- (3) Investigation of the Passaic strike.
- (4) Guarantees of "freedom of the air" in governmental control of radio.

Civil rights - Georgia

X-JC 599
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Evolution

ANTI-EVOLUTION LAWS

The views of leaders in religion,
education and public life regarding laws
restricting the teaching of evolution

#41

1 - FEB 8
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"Believing, as I do, that the freedom of learning is the vital breath of democracy and progress, I trust that a recognition of its supreme importance will direct the hand of power and that our public schools and state universities may enjoy the priceless advantages of courses of instruction designed to promote the acquisition of all knowledge and may be placed under no restrictions to prevent it; and that our teachers may be encouraged to know and to teach the truth, the whole truth and nothing but the truth. This is the path of salvation of men and democracy."

—CHARLES EVANS HUGHES, in an address
before the American Bar Association,
September, 1925.

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What are its principles ?

What does it do ?

Where does it get its money ?

Who controls its policies ?

2

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#43

The
SUPREME COURT
VS.
CIVIL LIBERTY

Dissenting Opinions
of Justices Brandeis
and Holmes in cases
affecting Civil Liberty



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October, 1927

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American Civil Liberties
Union

#44

Our fight is to help secure un-
restricted liberty of speech,
press and assemblage, as the
only sure guarantee of orderly
progress.

*"It is time enough for the rightful purpose
of civil government for its officers to in-
terfere when principles break out into overt
acts against peace and good order."*

Thos. Jefferson.

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January, 1927



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THE SHAME OF PENNSYLVANIA

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The story of how
Pennsylvania leads
the states in police
violence and brutal-
ity, prosecutions for
opinion, and war on
strikers and radicals

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The story of how
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ity, prosecutions for
opinion, and war on
strikers and radicals

Civil rights - Pennsylvania.

PUBLISHED BY
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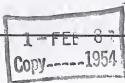
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.U5A5

#47

THE VICTORY in NEW JERSEY

The decision of the highest court
reversing the conviction of
Roger N. Baldwin and others
for unlawful assembly
in the Paterson
silk strike of
1924



AMERICAN CIVIL LIBERTIES UNION
100 FIFTH AVENUE
New York City

June, 1928



FC 599, U5A4
JJC 599
U5A5

American Civil Liberties Union

100 Fifth Avenue, New York City

This Bulletin is Issued Monthly. Subscription Price is 50 Cents a Year

REPORT ON CIVIL LIBERTY SITUATION FOR MONTH OF

JULY, AUGUST AND SEPTEMBER, 1928.

Pamphlet
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NOTE: The reports for the three months record the intensive drive of local, state and federal authorities against strikers and the Workers Party in wide-spread sections of the country. Serious civil liberty issues arose in the New England textile strike districts, the most serious since the disturbances in the Colorado strike last winter. Brutal police attacks on picket lines resulted in serious riots. Hundreds of pickets were convicted on minor charges and given unusually heavy sentences and excessive bail. The use of state troops and prohibition of strikers meetings made the struggle a bitter one. The Kenosha hosiery workers strike continued throughout this period, with a large number of arrests under the federal anti-picketing injunction.

Sacco-Vanzetti memorial meetings on the anniversary of the execution of the two men were broken up or forbidden all over the country. The Workers Party and its allied organizations met police interference in holding meetings and in conducting organization activities in New York, Pennsylvania, New Jersey, Missouri, Minnesota, Illinois and California. The first criminal syndicalism cases in over four years arose in August in Kansas where ten members of the Workers Party were arrested under the state syndicalism law while addressing a Sacco-Vanzetti meeting. Charges of blasphemy against a speaker at the Boston meeting were withdrawn when the press made a national issue of the matter.

It is notable that not a lynching or mob violence case is reported for the three months' period. Other items of special interest are: (1) the decision of the Court or Common Pleas at Philadelphia upholding the right of police censorship of meetings; (2) the decision of the Minneapolis Supreme Court sustaining the law restricting freedom of the press; (3) the defeat of the federal postal authorities' attempt to interfere with the National Miners Relief organization; (4) release of the last criminal syndicalist prisoner in the United States.

**JULY
MEETINGS.**

1. **NEW YORK.** Eight members of the All-America Anti-Imperialist League were arrested when they attempted to speak at a 4th of July demonstration before the offices of J.E. Morgan and Company in New York City and were found guilty of "disorderly conduct" on July 9th. Harriet Silverman, secretary of the New York branch of the League, Robert Minor, Robert Wolfe and Rebecca Grecht were given \$25 fines and 5 days sentences in the Tombs. Five others were sentenced to pay \$10 or serve two days. All chose jail instead of paying fines.

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Free SpeechFree PressFree Assemblage

1-JC 399

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American Civil Liberties Union

100 Fifth Avenue, New York City

Chelsea 0340

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FORREST BAILEY

Field Secretary

LUCILLE B. MILNER

Counsel

WOLCOTT H. PITKIN

Washington Representative

CLAYTON S. SPEAR

May 14, 1928.

F.A.C. 119
JUL 19 1928

To our friends:

Although we are plugging away on a score of significant issues from California to New England, and fighting wherever a case of repression comes to us, we cannot from this single office in New York really get down under the settled intolerance and indifference throughout the country.

Scores of little cases are constantly arising locally which ought to have attention on the spot. They rarely come to us. In addition there is everywhere increasing petty police tyranny, new restrictions on teaching by school boards, illegal searches, constant violations of the right of aliens and Negroes, and in many states censorship of books, plays and films. Most of these practices are comparatively new in American life, grown up since the war.

We here in New York have determined to ask our friends all over the country to help in tackling these issues in their own communities. We want to get started now this spring a movement which we can push hard next fall for the formation of local committees to tackle local cases, arouse local public opinion and thus gradually help build up over the country a counter-sentiment against the prevailing intolerance and indifference.

This is a call for volunteers. Will those of you who have the time and energy for such a task be good enough to tell us at once on the enclosed card? Where it is difficult to form local committees, we ask individuals to tackle the work alone. In any case, all such work depends chiefly upon the enthusiasm, interest and energy of some one person. We cannot pay for services, but we can raise money to meet expenses whenever they are necessary and cannot be met locally.

So we ask:

First: For a reply from any of you who are willing to organize a little group to deal with your own local repression and intolerance--calling on us for such advice and help as we can give.

Second: For a reply from those of you who prefer to work alone or who feel you have to work alone, but who will tackle the local issues about which we are concerned.

Restore the Rights of Citizenship to the 1500 Espionage Act Victims!

1 - FEL 8
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- ❑ Now ten years after the war, 1,500 men and women, convicted under the espionage act solely for their utterances, are without the rights to vote, hold office or serve on juries. In many states they suffer other discriminations.
- ❑ Are these men and women to be punished indefinitely by loss of these rights just because they spoke out against the war?
- ❑ Is the government to be less generous now than after the Civil War?
- ❑ How many years will the United States lag behind other countries in the World War? All of them have long since restored citizenship to all such opponents of the war.
- ❑ A simple proclamation by the President will restore the rights to them all.

Read the facts and do your part.

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Oct. 1929

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The Story of Mooney and Billings

1-Fe 82
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#51

- ¶ Two militant trade-unionists, Thomas J. Mooney and Warren K. Billings, are serving the thirteenth year of life sentences in California prisons. They were convicted on perjured testimony of planting the bomb that killed ten and wounded forty persons during a Preparedness Day parade in San Francisco in 1916.
- ¶ The perjury, disclosed after their conviction, could not be reviewed by the courts. But the judge and jury who convicted Mooney have declared him innocent in the light of the disclosures. So have the police officials. The trial judge is the chief sponsor of his pardon application, now before Governor C. C. Young. If Mooney is innocent, so is Billings, convicted on the same testimony.
- ¶ Why have successive governors refused to pardon Mooney and Billings?
- ¶ Why could they not get relief in the courts?
- ¶ Why all these years in prison without a persistent agitation for their release?
- ¶ Why is the issue opened up now?

READ THE FACTS AND HELP

NATIONAL MOONEY-BILLINGS COMMITTEE

Room 1403, 100 FIFTH AVENUE
NEW YORK CITY

April, 1929



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New York City.

February, 1929.

QUESTIONNAIRE ON LOCAL CIVIL LIBERTY CONDITIONS.

I. GENERAL SITUATION

1. Is freedom of speech and assemblage in your community better or worse off than a year ago? _____
2. Do you gather from private conversations, public speeches, and from the press that intolerance is increasing or diminishing? _____
3. Who are the most active agents of intolerance in your section, public officials; American Legion; Ku Klux Klan; other patrioteering organizations or individuals? _____
4. Have new groups or prominent citizens interested themselves in the cause of civil liberty? _____

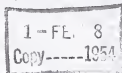
II. VIOLATIONS OF CIVIL LIBERTY

5. Have there been any of the following violations of civil liberty in your locality in the past year? Please check and give facts below.

- (1) What interference with meetings of labor, radicals or others? _____
- (2) Complaints of illegal search or seizure? _____
- (3) Any interference with picketing? _____
- (4) Other interference with labor's civil rights? _____
- (5) Injunctions against labor unions? _____
- (6) Prosecutions involving opinions or beliefs? _____
- (7) Deportation of aliens because of opinions or beliefs? _____
- (8) Denial or cancellation of naturalization because of opinions or beliefs? _____

The California Red Flag Case

#53
The facts of the conviction of five young women for displaying a red flag at a children's summer camp.



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Up to 10 years in prison for displaying this!

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JUSTICE—NORTH CAROLINA STYLE

*The record of the year's struggle
for unions in Gastonia and
Marion, April 1929 to April 1930*

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MR. JUSTICE LANGDON DISSENTS

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*A New Chapter in the
Mooney-Billings Case*

7

FOREWORD BY

ALFRED LIEF

Compiler of "The Dissenting Opinions of Mr. Justice Holmes"
and "The Social and Economic Views of Mr. Justice Brandeis"

ARBITRATOR PRESS

NEW YORK

1930

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THE AMAZING FRAMEUP OF
MOONEY AND BILLINGS

Marcet Haldeman-Julius

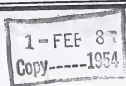
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BLACK JUSTICE



- ❑ The denial of civil rights to Negroes in law and in practice
- ❑ The only survey of all the discriminations against citizens on account of color
- ❑ Of all minorities in the United States, the 15,000,000 Negroes suffer most violations of their civil rights

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THE PACIFIST BOGEY

An Apology to Prospective Citizens #58

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*The Cases of Alien Pacifists in the
Courts; the Schwimmer, Macintosh
and other decisions*

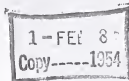
A bill is pending in Congress intended to re-
move the barrier against naturalization of
those refusing to promise to bear arms.

Those interested use coupon
on last page

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January, 1931



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A Strike Is Criminal Syndicalism— In California

#59

¶ Eight men are serving the longest sentences ever imposed in the United States solely for strike propaganda,—from 3 to 42 years.

¶ These men were convicted in the Imperial Valley for organizing a strike of the melon-pickers. The conviction is before the California courts on appeal.

¶ Funds for the defense are needed. Use the coupon on the last page.

"The way to kill the red plague is to dynamite it out. That's what we did in Imperial County. The judge who tried the Communists was a Legionnaire; 50 per cent of the jurors were war veterans. What chance did the Communists have? That's the way we stamped it out in our county."

The American Legion Commander at El Centro

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THE GAG ON TEACHING

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- ❑ The story of the new restrictions by law on teaching in schools; and by public opinion and donors on colleges.

 - ❑ The record since the war,—the longest in American history.
-

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X
THE CASE OF
REED HARRIS

STUDENT EDITOR

at

COLUMBIA UNIVERSITY

#61



-
His Expulsion for Criticism
of College Affairs, and
Subsequent Reinstatement
-

For the sake of recording the essential facts for interested friends, we give herewith a summary of the extraordinary action of Columbia University in expelling Reed Harris, student editor of THE SPECTATOR, for criticizing college affairs.

Although Mr. Harris was later reinstated, and thereupon resigned from the University, thus closing the incident, the course of events is revealing of how a hasty and ill-advised action by a college official can arouse so profoundly both college and public opinion around an issue of academic freedom. It is the outstanding case among some half dozen expulsions of college editors in the past decade.

+ +



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Henderson, Angelo, 1913-

DEATH For Inciting Insurrection In Georgia!



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Still the Fish Committee Nonsense!

The Answer of the Press to the Fish Committee Proposals to Outlaw Free Speech for Communists

Q An energetic campaign is being waged by the professional patriots to enact the laws recommended by the 1930 Congressional Committee to Investigate Communist Activities headed by Hamilton Fish, Jr.

Q All over the country the report of that Committee is quoted to discredit the Civil Liberties Union's fight for free speech.

Q Here are reprinted sample editorials from leading papers, all condemning the Committee's recommendations at the time they were made; and scoring its findings on the Civil Liberties Union.

Q Use them in the campaign to beat the bills, and offset any use of the report.

Q See last page.

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The Answer of the Press to the Fish Committee Proposals to Outlaw Free Speech for Communists

Communism - U.S. - 1917 -

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QSee last page.

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The Jobs for Civil Liberty, 1932-33

Here are the Chief Campaigns. Lend Your Support

#65

1. Country-wide campaign in the larger cities to set aside special places in parks or on the streets where public meetings may be held without permit. This is the only way to avoid constant interference with meetings.

2. National campaign against the Department of Labor's illegal raids on aliens, on deportations for opinion and on anti-alien legislation,— notably the Dies bill for the deportation of Communists as such; protection of alien political refugees in the United States; admission of alien pacifists to citizenship.

3. National campaign against the Post Office censorship, censorship of the radio, and the tapping of telephone wires to obtain evidence.

4. Campaign for state anti-injunction laws modeled on the federal law, in the 38 state legislatures meeting in 1933.

5. Release of political prisoners,—Mooney and Billings in California, the Centralia men in Washington, and the sedition prisoners in Pennsylvania.

6. Campaign against the unprecedented array of laws and regulations restricting freedom in education, both in schools and colleges.

7. National campaign against third degree, directed to specific remedies in law.

8. Civil rights for American Indians through passage of bills pending in Congress.

These are the campaigns. Each is handled by a special committee. Sign up to get on the special mailing lists so that you may know when and how to help. Special literature goes to those interested without charge.

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2. Remarks:

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Beat the "Incitement to Disaffection" Bill!

S. 2253

#67

A gag measure already passed in the Senate without hearings or a roll call, now reported favorably in the House, would make a crime out of any language or publication which incites any member of the Army or Navy of the United States to disobey laws and regulations. It is backed by Army and Navy officials, professional patriotic organizations and the Hearst press.

The bill is:

Dangerous,

Un-American,

Doubtless Unconstitutional,

Wholly Unnecessary.

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An answer to the "patriots"

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John Baer in "Labor"

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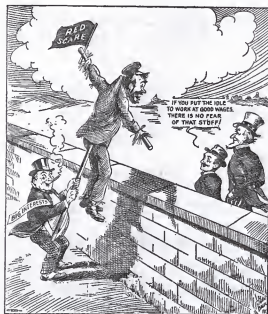
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Who's Un-American?

An answer to the "patriots"



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#70

Civil Liberty

A statement defining the position of the [✓] *AMERICAN CIVIL
LIBERTIES UNION on the chief issues.*

WE STAND on the general principle that all thought on matters of public concern should be freely expressed without interference. Orderly social progress is promoted by unrestricted freedom of agitation and organization. The punishment of mere words without overt acts is never in the interest of orderly progress. Suppression makes for violence and bloodshed.

The principle of freedom of speech, press, and assembly, embodied in our constitutional law, must be constantly reasserted and applied to be made effective. It must be interpreted in relation to the various methods used to repress new ideas and movements. The following paragraphs cover the most significant aspects of repression in the United States today.

1. Free Speech

There should be no control whatever in advance over what any person may say. The right to meet on private property and to speak freely should be unquestioned. Meetings in public places may properly be regulated by permit but without any discrimination whatever on account of the political program or views expressed. The fullest freedom of speech should be encouraged by setting aside places in streets or parks for use without permits, and in the use of public buildings for public meetings of any sort.

There should be no prosecutions for utterances on matters of public concern, however radical, however violent. Prosecutions should be brought only for acts or attempted acts and language specifically inciting to the commission of such acts.

2. Free Press

There should be no censorship over the mails by the postoffice. Printed matter should never be subject to a political censorship. The granting or revoking of second-class mailing privileges should have nothing whatever to do with a paper's opinions and policies.

If libelous, fraudulent, obscene, seditious or other illegal matter is being circulated, it should be seized by proper warrant through the prosecuting authorities and tried before a jury. The business of the Postoffice Department is to carry the mails, not to act as censor.

There should be no control over the distribution of literature at meetings or hand to hand in public or in private places. No system of licenses for distribution should be tolerated.

3. Freedom of Assemblage; Picketing

Meeting in public places, demonstrations at public offices, parades and processions should be freely permitted, the only reasonable regulation being the advance notification to the police of time

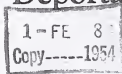
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The Attempted Deportation

of



#71

John Strachey 1701-

Abstract of the proceedings
before the District Director
of Immigration at Chicago.



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May 1935



**TAMPA —
TAR and TERROR**

Published by the
Committee for the Defense of Civil Rights in Tampa
Room 506, 112 East 19th Street
New York City

Price: Two cents

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The 105A5

#73

American
Civil Liberties Union
Inc.

What is it?

What are its principles?

What does it do?

Where does it get its money?

Who controls its policies?

American Civil Liberties Union, Inc.

31 Union Square West
New York City

January, 1936

X-JC 599
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#74



The American Legion and Civil Liberty

By Walter Wilson

Former Southern Secretary of the Civil Liberties Union; author of "Forced Labor in the United States", "The Militia"; contributor to the *New Republic*, *Common Sense*, *Nation*, *American Mercury*, *Harper's*

American Legion

"I warn you that our civilization is in danger if we heed the deceptive cries of special privilege, if we permit our men of great wealth to send us on a wild goose chase after so-called radicals while they continue to plunder the people. . . . We are told constantly of the evils of Socialism and Communism. The label is applied to every man, woman and child who dares to say a word which does not have the approval of Wall Street."

—From Governor George H. Earle's address to the 1935 Pennsylvania Legion convention.

AMERICAN CIVIL LIBERTIES UNION

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New York City

September, 1936

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THE MENORAH JOURNAL

#75

VOLUME XXIV

APRIL-JUNE, 1936

NUMBER 2



For Free Speech

BY OSMOND K. FRAENKEL

IT was only to be expected that the success of the Nazi régime in Germany should occasion repercussions in this country, more particularly in those sections where a large proportion of the people are of German ancestry. In a natural effort to counteract some of the Nazi-inspired attempts to intensify antisemitism, certain punitive legislation has been proposed. In New Jersey a law of this kind was enacted last year; in New York State a similar law is pending now in the Legislature. Both these laws are general; they contain no specific reference to the propaganda which has occasioned them.

The New Jersey law proceeds on the theory that the dissemination of propaganda which arouses hostility toward any people by reason of their race, color, religion or manner of worship tends to violate our constitutional guaranty of religious freedom and also to incite to riot. It punishes as a misdemeanor the creation of any written or printed material, picture or emblem, which in any way "incites, counsels, promotes, or advocates hatred, violence or hostility" against any group of persons residing in the State, by reason of their race, color, religion or manner of worship. The printing of the constitution or of any record of an organization which commits such prohibited acts is likewise made punishable; and any one who possesses prohibited matter with intent to distribute it, or who displays a prohibited picture or emblem at a meeting of more than three persons or in any public place, is also guilty. Finally, this law punishes any person who makes a statement, either in

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#76
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The American Civil Liberties Union, Inc.

What are its principles?

What does it do?

Where does it get its money?

Who controls its policies?



31 Union Square West
New York City

September, 1937

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#77

The Supreme Court and Civil Liberties

How Far Has the Court Protected the Bill of Rights?

A Study of the Record
by
Osmond K. Fraenkel
of the New York Bar

Published by the
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December , 1937

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Who's Un-American?

An answer to the "patriots"



John Baer in "Labor"

Keep this for reference in answering attacks on the American Civil Liberties Union, or "patriotic" demands for suppressing "subversive" movements.

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December, 1937

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"NATIONS IN NIGHTSHIRTS"

Address of

Hon. Harold L. Ickes

Secretary of the Interior

at the Seventeenth Annual Meeting
of the American Civil Liberties Union,
December 8, 1937
New York City

▲ ▲ ▲

American Civil Liberties Union
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BLOODY HARLAN

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**The Story of Four Miners
Serving Life for...**

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Daring to Strike
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ARTHUR GARFIELD HAYS

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#82

ORDINANCES RESTRICTING LEAFLET DISTRIBUTION

*An analysis of the ordinances
and court decisions.*



Reprinted from
INTERNATIONAL JURIDICAL ASSOCIATION BULLETIN
June, 1937



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NEW YORK CITY

July, 1937

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#83

ORDINANCES RESTRICTING LEAFLET DISTRIBUTION

*An analysis of the ordinances
and court decisions.*

Reprinted from
INTERNATIONAL JURIDICAL ASSOCIATION BULLETIN
June, 1937

AMERICAN CIVIL LIBERTIES UNION
31 UNION SQUARE WEST
NEW YORK CITY

July, 1937

#84

LAND OF THE FREE

A pictorial glimpse at
some of the most flagrant
violations of civil rights
in the United States.



Reprinted from LOOK Magazine
October 12th and 26th, 1937,
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#85

Civil Liberties Bills In Congress

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February, 1938.

— 11 —

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#86

ETERNAL VIGILANCE

The Story of Civil Liberty

1937-1938

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—ROLLIN KIRBY in the N. Y. World-Telegram

Tear gas—and not only in Jersey City!

American Civil Liberties Union

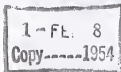
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204

June, 1938

1938



X-JC 59
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#87

Tom Mooney Should be Pardoned Immediately

Radio Address
of
Hon. Emanuel Celler
of New York
May 28, 1938

Printed in the Congressional Record of
June 1, 1938.

(Not printed at Government expense)



United States
Government Printing Office
Washington : 1938

72595-15589

Stand Up Employer's Free Speech Right Asked

WASHINGTON, June 4. — The American Civil Liberties Union asked the Labor Relations Board today to clarify the employer's rights of free speech under the Labor Relations Act.

Arthur Garfield Hayes, counsel to the union, wrote Chairman J. Warren Madden of the Labor Board:

"In the event that the labor relations board is not to attempt to restrict the employer's right of free speech, it is the duty of the board to state that one of the principal reasons for the enactment of the National Labor Relations Act was the desire to protect the rights of employees to organize and to bargain collectively through their representatives."

"The board should also state that the National Labor Relations Act was enacted to protect the rights of employees to organize and to bargain collectively through their representatives."

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Tavern Permit Ban Branded

MILWAUKEE, Friday stood accused by the American Civil Liberties Union of using Fascist tactics to fight Fascism—and the common council's recently enacted tavern gag resolution is compared to the much publicized tactics of Mayor Frank Hague of Jersey City.

In a telegram to Mayor Hoan, Police Chief Joseph T. Kluchensky and the council, the Civil Liberties Union denounces the resolution passed June 4 which would revoke the license of any tavern in which held meetings of the Silver Guard, the Protective League and groups fomenting racial hatred.

The resolution, signed by Mayor Hoan, would revoke the license of any tavern in which held meetings of the Silver Guard, the Protective League and groups fomenting racial hatred.

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Civil Liberties Union Aids

JOINS L. A. TIMES in Opposing Bar's Contempt Charge Over Editorials

LOS ANGELES, July 11.—With arguments concluded by Attorneys T. J. Cosgrove, representing the Los Angeles Times, and A. L. Wirin, representing the American Civil Liberties Union, and appearing as a friend of the court, attorneys for the Los Angeles Bar Association this week argued in opposition to a demurrer filed by the Times in the contempt of court action brought by the Bar Association.

CIVIL LIBERTIES UNION PROTESTS IN BEHALF OF KLAN

Objects to Denial of Permit to Parade in Toledo to Order It Opposes.

NEW YORK, Oct. 21.—The American Civil Liberties Union, long a foe of the Ku Klux Klan, today protested against the city permit for a Klan parade in Toledo to order it opposed.

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EVERYBODY'S RIGHTS

Takes Up Cudgel On Klan's Behalf

(By Scripps-Howard Newspaper Alliance)
NEW YORK, Oct. 25.—Demands for civil rights of the Ku Klux Klan and its members are among the latest activities of the American Civil Liberties Union.

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FOE OPPOSES BAN ON KLAN

By Scripps-Howard Newspaper Alliance
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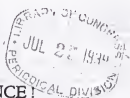
Local Civil Liberties Committees

Reports 1937-1938

→ *Supplement to*

ETERNAL VIGILANCE!

The Story of Civil Liberty 1937-38



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New York City

June 1938

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CIVIL RIGHTS vs. MAYOR HAGUE

#90

Hague, Frank, 1876—

Extracts from a hearing before Hon. William J. Clark, Judge of the Federal District Court, Newark, N. J., on an application by the American Civil Liberties Union and others for an injunction against the practices of Jersey City officials violating civil rights. (March, 1937.)



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January, 1938.

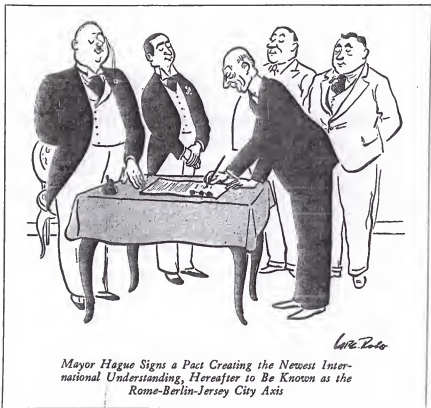
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CIVIL RIGHTS
vs.
MAYOR HAGUE

#91

Extracts from a hearing before Hon. William J. Clark, Judge of the Federal District Court, Newark, N. J., on an application by the American Civil Liberties Union and others for an injunction against the practices of Jersey City officials violating civil rights. (March, 1937.)



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January, 1938.



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#92

More Candid Views
of
MAYOR HAGUE

From Editorials in the Nation's Press



The New Yorker

New York Times

May 9, 1938

It is not Mayor Hague that we have to fear. It is the existence of a substantial number of persons so short-sighted that they have as little respect for constitutional rights as he has.

The Christian Century

June 15, 1938

The problem of free speech is a very live issue. Roman Catholics, whether priests or laymen, do their church a great disservice by joining hands with a man like Hague to eliminate civil liberty from a "Catholic city."

Philadelphia (Pa.) Evening Ledger

June 16, 1938

Mayor Hague insists that Americanism and law and order are the issue involved in the litigation which grew out of his refusal to permit the C. I. O. or the Socialist candidate for President to hold meetings in Jersey City. He should realize two things: First, that he cannot suspend the Constitution; second, that, if America were ruled as he advocates, he might be the first person sent to Siberia in Alaska.

This is Bulletin No. 2 of a Series Showing the Reaction in the Nation's Press to the Suppression of Constitutional Rights in Jersey City by Mayor Hague.

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What Eminent Americans

say about

#93
MAYOR HAGUE

Statements by Public Officials, Religious Leaders, Educators, Publicists,
Veterans and Public Spirited Citizens.

President Roosevelt

Rebukes Mayor Hague in a Fireside Chat, June 25, 1938

"There can be no constitutional democracy in any community which denies to the individual his freedom to speak and worship as he wishes. The American people will not be deceived by any one who attempts to suppress individual liberty under the pretense of Patriotism."

Alf M. Tandon

(In an open letter to Norman Thomas)

"I am shocked at your treatment in Jersey City and at such a gross violation of our sacred right of speech. I do not want this threat of our priceless heritage of freedom to pass without protest on my part. It is shocking evidence that even America is not isolated from the rising tide of hate and intolerance."

Mgr. John A. Ryan

Director, Social Action Department,
National Catholic Welfare Council

"Many Jersey City Catholics do not realize that the real conflict is between Americanism and civil rights on the one hand and on the other hand the subservency of city officials to selfish employers who seek to prevent effective organization of labor."



Bulletin No. 3 in a Series Showing the Reaction Throughout the Nation
to the Suppression of Constitutional Rights in Jersey City by
Mayor Hague.

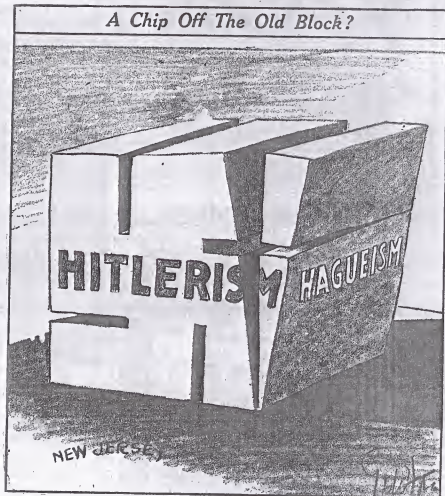
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#94

CANDID VIEWS OF MAYOR HAGUE

FROM THE NATION'S PRESS

A Chip Off The Old Block?



Tampa, Fla. Tribune

First in a Series of Bulletins Showing the Reaction of the
American Public to Suppression of Constitutional Rights
in Jersey City.

U.S. GOVERNMENT
PRINTING OFFICE
1938

1938 23

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Pamphlet
collection

#95

FOR IMMEDIATE ACTION!

The May so-called "War Profits" Bill in Congress (HR 9604) has been reported favorably out of the House Military Affairs Committee. It is expected to come shortly to a vote in the House.

Dangers inherent in the legislation affecting civil liberties make immediate vigorous opposition imperative.

With the enactment of this legislation:

The Bill of Rights would become a dead letter in wartime.

Freedom of speech, press, assembly and the rights of labor would be completely under dictatorial control.

Publication of newspapers, pamphlets and books, the production of motion pictures and programs on the air would all come under the heavy hand of government censors.

The Bill is a deliberate affront both to American tradition and to the capacity of the American people to retain a large degree of their democracy even in wartime.

WE URGE YOU

to protest against passage of the May Bill (HR 9604) to your Congressmen and to Hon. John J. O'Connor, Chairman of the House Committee on Rules, now considering the measure. Commendation of the forceful minority report of the House Committee on Military Affairs should be addressed to its authors, Representatives Maury Maverick, C. Arthur Anderson and Paul Kvale, House Office Building, Washington, D. C.

Send copies of your telegrams and letters to your local newspapers and ask for editorial comment.

AMERICAN CIVIL LIBERTIES UNION

31 Union Square West

New York, N. Y.

March 17, 1938

FACTS AND FANCIES

A Primer for Mayor Hague

EXTRACTS FROM
HIS TESTIMONY AND
PUBLIC STATEMENTS

and

EVIDENCE THAT HE
EVADES THE TRUTH
AND FLOUTS THE LAW

Bulletin Number 4 in a Series Revealing the
Suppression of Constitutional Rights in Jersey
City by Mayor Hague



(Fitzpatrick in St. Louis Post-Dispatch)

Mayor Hague Says:

"I would like to say to the country that the evidence that you just produced clearly demonstrated that Mayor Hague never opposed free speech."

(From his testimony before Federal Judge Clark in C.I.O.-A.C.L.U. injunction suit.)

The Facts Are:

Hague's grip on local hall owners is such that it is impossible for individuals and groups not approved by him to secure a private meeting place.

This is accomplished in conjunction with a "most peculiar" ordinance but works chiefly by means of subtle coercion and implied reprisals against hall owners.

Nor are public places available for meetings. Under a licensing system Hague has suppressed free speech on the streets of Jersey City.

The Law Is:

The U.S. Supreme Court has held that freedom of speech, press and assembly are fundamental rights safeguarded by the Fourteenth Amendment of the Constitution.

This amendment is violated by both the tactics of the Mayor under the ordinances and the ordinances themselves.

"As soon as they begin to shout about free speech, free press and civil rights and constitutional rights, know they're Communists."

(From his testimony before Federal Judge Clark in the C.I.O.-Civil Liberties Union injunction suit.)

Thomas Jefferson: "If I had the choice between government without free speech and free speech without government I would choose the latter."

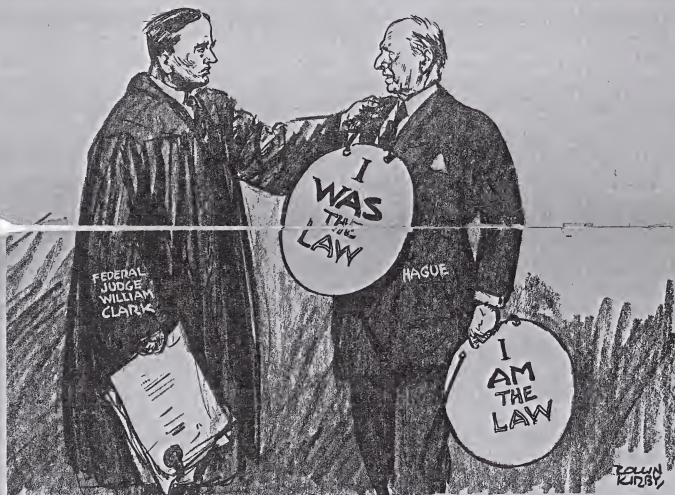
Woodrow Wilson: "If there is one thing we love more than another in the United States, it is that every man should have the privilege, unmolested and uncriticized, to utter the real convictions of his mind."

Amendment to the Constitution of the United States: Article 1. Congress shall make no law . . . abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble . . . (also included in 14th Amendment).

New Jersey Constitution, Article 1, Section 5: No law shall be passed to restrain or abridge the liberty of speech or of the press.

Judge Clark's Injunction Against Mayor Hague

and Jersey City Officials, Entered in
the Federal District Court at Newark,
New Jersey on November 7, 1938.



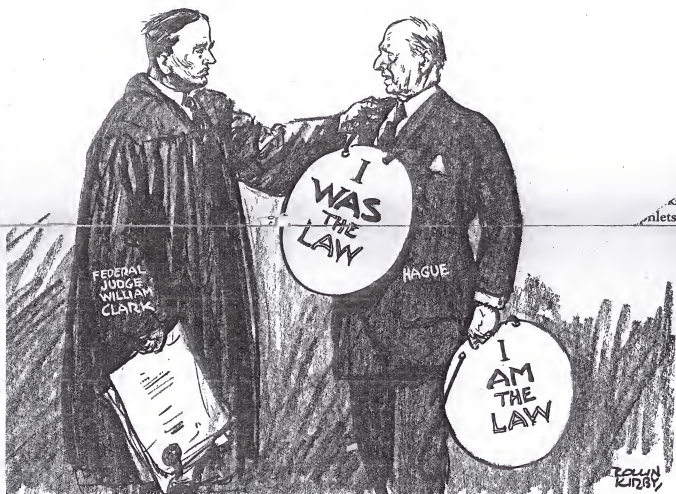
One Dictator Who Didn't Get Away With It

New York World-Telegram

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Judge Clark's Injunction Against Mayor Hague

and Jersey City Officials, Entered in
the Federal District Court at Newark,
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One Dictator Who Didn't Get Away With It

New York World-Telegram

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TEACHERS AND CONTROVERSIAL
QUESTIONS

BY ALEXANDER MEIKLEJOHN

REPRINTED BY
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OF
THE AMERICAN CIVIL LIBERTIES UNION

"Teachers and Controversial Questions" was first printed in Harpers Magazine, June, 1938, and is reprinted with permission.

I HAD just been listening to the President of the United States. He was speaking at the celebration of the birthday of Virginia Dare, the first child of European stock born in this country. He said to his far-flung audience of Americans that America has been, and still is, a place of controversy. Throughout the record of our three hundred and fifty years he found a conflict between the Many and the Few, between the mass of the common people, who wish to control and direct themselves, and the powerful group or groups who seek to take that control and direction from them. That conflict, the President seemed to say, that controversy, is the most striking feature in the political history of our people.

As I listened to the President's words they seemed to me especially important for the teachers of America. What have teachers to do with the controversy of which he spoke? Should they discuss it in their classrooms? Should they be partisans with respect to it, line up before their pupils and the general public? Should they fight with their minds and wills on the side of the Many or of the Few, as may seem to them best? Or, on the other hand, should they keep clear of such controversies, as irrelevant to the business of teaching? If one is commissioned to prepare young Americans for living in America what has he to do with the crucial, the controversial issues of his time and country?

I need hardly point out that this question about the teacher and his work is itself a controversial one. Around it passions gather and conflicts rage with a peculiar intensity. Just as we resent cruelty to a child more than cruelty to an older person, so do we resent the "misleading" of children more than the misleading of their elders. For a hundred different reasons, emotional and intellectual, we demand that our schools shall not malforn our pliant youth, shall not destroy its capacities, or start them growing in wrong directions. And so it has come to pass that the American teacher is today a focus of controversial fury. The conflict which finds open expression in discussions about "loyalty" is raging in subtler form in every American community which is sufficiently aware of its schools to pass judgment upon what they are doing. Teachers and administrators are under constant pressure. As compared with the few striking, sensational "cases" which are noted by the press, the unnoted bulk of that pressure is enormous and overwhelming. It is that pressure which chiefly suggests our problem. I am not asking, however, whether or not a community should influence and determine the character of its schools. That it should do so seems to me both inevitable and desirable. But the real question is: "In

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The Right of Assembly

A Study of the Law with Suggested Remedies

by

William G. Fennell
of the New York Bar

Published by the

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31 Union Square West

New York City

August, 1938

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